

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:808

ANSWERED ON:21.07.2016

Reservation in Judiciary

Khan Shri Md. Badariddoza;Nete Shri Ashok Mahadeorao

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Government has received requests/suggestions in favour of reservation for various categories in appointment in the judiciary including High Courts in the country;

(b) if so, the details thereof; and

(c) the reaction of the Government thereto?

Answer

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY

(SHRI P.P. CHAUDHARY)

(a) to (c) : Appointment of Judges of the Supreme Court and High Court is made under Articles 124 and 217 of the Constitution of India respectively. These Articles do not provide for reservation for any caste or class of persons. The Government has, however, requested the Chief Justices of the High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to Other Backward Classes, Scheduled Castes, Scheduled Tribes, Minorities and from amongst women.

Under Article 235 of the constitution of India, the administrative control over the members of district and subordinate judiciary in the States vests with the concerned High Court. Further, in exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the constitution, the respective State Government, in consultation with the High court, frames the Rules and Regulations regarding the issues of appointment, promotion, reservations etc. of judicial officers in the State Judicial Service. Central Government has no direct role in this regard.

â€œâ€œâ€œ.